

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

May 6, 2015

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:00 a.m. on May 6, 2015.

(a) Commissioners present at the Commission meeting:

Ron Brown
Gregory Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins, Chairman
Todd Hite, representing the Commissioner, Department of Health
James Hoch
James Jordan
Matt Mitchell
Patrick Richard
Jessica Scheurich
Craig Von Deylen

Commissioners who were not present at the Commission meeting:

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services

Pamela Walters, Staff Attorney
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General was present

Chairman Hawkins asked presenters to not enter into the area inside the Commission seating, but to give any handouts to Cecilia or Beth for distribution. He explained that someone had unplugged the recording equipment while inside the area, causing difficulties. He also stated that there would be a fire drill during our meeting. He also congratulated Bonnie Robison, Plan Review, on her retirement at the end of May after 31 years of service to the people of Indiana, pointing out that this was to be her last Commission meeting.

2. Old Business

Chairman Hawkins called for any corrections or a motion to approve the minutes of the April 7, 2015, meeting. Commissioner Richard noted he had abstained from voting on 15-04-58, Grant Street Station First Floor Renovation, West Lafayette. Commissioner Richard then moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

3. Ordinances

Building Ordinance No. 261-2015
Burns Harbor, Indiana

Building Ordinance No. 2014-05
Long Beach, Indiana

Following a brief discussion, Commissioner Hoch moved to approve both ordinances, with the second by Commissioner Brown. It was voted upon and carried.

4. Variances

Tabled Variances

15-01-38 Wernle Youth and Family Treatment Center Administration Building, Richmond

No proponent was available for questions. It was noted they had not been available for questions since filing. Commissioner Von Deylen moved to deny, with the second by Commissioner Mitchell. It was voted upon and carried.

15-04-4 Liberty Self Storage, Wabash

Tom Boyle, owner, spoke as proponent. He provided the Commission members copies of sprinkler estimates he had received. He had also talked to his attorney about including a gasoline restriction of five gallons on the agreement each customer signs. He had also talked to the local fire chief about his plans, and the chief was not opposed to the

variance. Following discussion, Commissioner Hoch moved to approve with a five gallon gasoline restriction on the contract. The second was made by Commissioner Richard. It was voted upon and carried, with two nay votes.

15-04-5 Blessed Beginning Care Center Remodel, Nappanee

The proponent had advised the Commission that no proponent would be provided, and requested the application be judged on its own merits. It was noted that the building had four exits, would be sprinklered, and provided egress windows in the eight patient rooms. Following discussion, Commissioner Brown moved to approve with the condition that NFPA 13 be followed, including the sprinklering of concealed spaces. Commissioner Hoch made the second. It was voted upon and carried with one nay.

15-04-15(b) Terry Lee Hyundai, Noblesville

Melissa Tupper, RTM Consultants, spoke as proponent. She was accompanied by Mike Cook, a representative for the owner. The request was to omit a sprinkler head under the non-combustible stairway, and to allow the use of the area under the stairway for a play area for children. The building is protected by ordinary hazard sprinklers, and the floor is concrete and tile. The floor under the stair would be covered in a foam cushion tile, shaped in puzzle pieces. Following a lengthy discussion, Commissioner Richard moved to approve with the condition that there be no gate to the play area, a battery operated smoke detector be provided, and that the foam tiles have the same flame spread as Class A carpet tiles. Commissioner Von Deylen made the second. It was voted upon and carried with Commissioner Mitchell abstaining.

15-04-33 AI Camp Bunkhouses, Marshall

Judith Kline, architect, spoke as proponent. The proponent noted that they would be adding an exit stair from the second bunkroom. The architect had sought sprinkler estimates from Pipe, Incorporated, but had not been provided the information. The basement was to be changed to a crawl space, with a small room being added for mechanicals. There are four exit doors for 36 people, with fire and smoke alarms being provided. Following discussion, Commissioner Richard moved to deny, with the second by Commissioner Scheurich. It was voted upon and carried.

15-04-35(a)(b) The Sycamore at Mallow Run Banquet Facility, Bargersville

The application was withdrawn by the proponent.

15-04-39(f) IUPUI North Hall Housing, Indianapolis

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The request was to omit smoke dampers in ducts. The building, of non-combustible construction, was protected by an NFPA 13 sprinkler system, with interconnected smoke detection in both the dorm rooms and corridors. The activation of a smoke detector in a dorm room will activate the fire alarm. Following a lengthy discussion, Commissioner Von Deylen moved to approve with the condition that any air transfer openings will have smoke dampers, with the second by Commissioner Hoch. It was voted upon and carried.

15-04-43 Grand Park Indoor Sport & Recreation, Westfield

The application had been withdrawn.

15-04-49 Green Sense Farms, Portage

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

Regular Variances

Chairman Hawkins called for any variances in the block vote to be called out. Commissioner Richard noted he would be abstaining from voting on 15-05-7, YWCA Women's Shelter, Lafayette, and 15-05-24 Haunted Attraction, Lafayette. Commissioner Hawkins noted he would be abstaining from voting on 15-05-21 SAMTEC- New Building, Scottsburg. Commissioner Brown called out 15-05-16, the Mezz, Carmel, 15-05-39(d) Pulliam Square Phase 2, Indianapolis, and 15-05-41 GSA Ice, Indianapolis, for individual consideration. He also requested a separate vote on 15-05-20 Valley Line Addition, Shipshewana.

At 9:55 am, the fire drill alarm was sounded. At the advice of Jim Schmidt, Commissioner von Deylen moved to approve the "A" and "B" variances, with the second by Commissioner Richard. It was voted upon and carried. All occupants of the meeting room exited, following established protocol.

The following variances were approved as submitted:

- (1) 15-05-04 Hose Removal – 8404 Siear, Indianapolis
- (2) 15-05-05 Evansville Lutheran School Addition, Evansville
- (3) 15-05-06 Franciscan Physicians Hospital, Munster
- (4) 15-05-07 YWCA Women's Shelter, Lafayette
- (5) 15-05-08 Hoppy Gnome, Ft. Wayne
- (6) 15-05-09(a)(b) 1520 North Alabama Street, Indianapolis

- (7) 15-05-10(a)(b)(c)(d) The Indianapolis Collegiate, Indianapolis
- (8) 15-05-11(a)(b) Methodist Hospital West Building Smoke Control System, Indianapolis
- (9) 15-05-12(a)(b) Boonville High School Misc. Renovations, Boonville
- (10) 15-05-13 Getgo 3550, Carmel
- (11) 15-05-14(a)(b)(c) University of Notre Dame Campus Crossroads Project, Notre Dame
- (12) 15-05-15 Tippecanoe County Permit 33564, Lafayette
- (13) 15-05-17(a) UPS Freight Automotive Shop, Indianapolis
- (14) 15-05-18(a)(b)(c)(d) Edge Manufacturing West Addition, Bluffton
- (15) 15-05-19 John H. Castle Elementary School Addition, Newburgh
- (16) 15-05-21 SAMTEC – New Building, Scottsburg
- (17) 15-05-22 Ivy Tech Bloomington Additions and Renovation, Bloomington
- (18) 15-05-23(a)(b) Sweetwater Outdoor Pavilion, Ft. Wayne
- (19) 15-05-24 Haunted Attraction, Lafayette
- (20) 15-05-30(b) Alpha Phi Sorority Renovation, West Lafayette
- (21) 15-05-36(a)(b) Birdsong Echoes School, Middlebury
- (22) 15-05-37(a)(b) Golden Acres School, LaGrange
- (23) 15-05-39(b)(e) Pulliam Square Phase 2, Indianapolis

Following the all-clear and return to the Conference Center, the meeting resumed at 10:19 am. Commissioner Von Deylen then made a motion to approve the remaining “A” and “B” variances. The second was made by Commissioner Richard. It was voted upon and carried. The following variances were approved as submitted in the second motion:

- (24) 1505-59(a)(c) IMS Project 100, Speedway
- (25) 15-05-63(b)(c) Market Square North, Indianapolis
- (26) 15-05-66 Lakeland Regional Wastewater Treatment Plant, North Webster

The following variances were heard separately:

- (27) 15-05-20 Valley Line Addition, Shipshewana

This variance had been pulled for a separate vote by Commissioner Brown. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried, with one nay vote.

Mike Christoffersen had requested his variance be heard out of order due to scheduling conflicts.

- (28) 15-05-56 Lifeway Wesleyan Church, Ft. Wayne

Mike Christoffersen, Architectural Designs, Inc. spoke as proponent. The request was to be allowed to use a residential-type hood in the warming kitchen, where a residential-type range is installed. Following a lengthy discussion of the model Mechanical Code Section

507.2.2, what qualifies as a commercial kitchen, and the proponent's interpretation that no Type 2 hood was needed, Jim Murua, Ft. Wayne Fire Department, noted they ask for a letter of intent for the use for the kitchen, and suggested that the owner vent the hood to the exterior. Commissioner Hoch then moved that no variance was required, with the second by Commissioner Richard. It was voted upon and carried.

(29) 15-05-57(a)(b) Fellowship Haven Church, Woodburn

Mike Christoffersen, Architectural Designs, Inc. spoke as proponent. The local building department is requiring a Type 2 hood. The request in variance (b) was to be allowed to use the 2014 Mechanical Code, though the project was filed in December, under the 2008 Mechanical Code. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (a) was to use a residential hood over the residential appliance in the kitchen, venting it to the exterior. Commissioner Brown moved to approve, with the second by Commissioner Furnish. It was noted that the ruling on the Lifeway Wesleyan Church, which was for the same issue, was no variance required. Commissioner Brown changed his motion to no variance required with approval of the second. It was then voted upon and carried.

(30) 15-05-58 Waterout, Ft. Wayne

Mike Christoffersen, Architectural Design, Inc. spoke as proponent. An addition to a commercial building, consisting of offices and a test house for simulations of their services, will have a break room with residential appliances installed. A residential hood will be installed, and vented to the exterior. The proponent believed no Type 2 hood was required. The test house kitchen will not have plumbing, gas lines or electricity. Commissioner Von Deylen moved no variance was required, with the second by Commissioner Hoch. It was voted upon and carried.

(31) 15-05-01 Chapel at Winery, Seymour

The application was incomplete and ineligible to be heard. Commissioner Von Deylen moved to table, with the second by Commissioner Hite. It was voted upon and carried.

(32) 15-05-02(a)(b) St. Raphael Church, Dubois

Chris Dufek, Midwest Accessibility Products, spoke as proponent. The variances were for an inclined wheelchair lift being installed in an existing building. In variance (a), a structural beam, which created low overhead issues, would be padded for protection of the occupants of the lift. The lift would be a constant pressure operation unit, with a remote control option to allow rider-assistance. Variance (b) was for low overhead issues during travel. Following discussion, Commissioner Von Deylen moved to approve both

with the condition that low overhead warning signs are to be posted, and that a key lock-out be provided to secure the unit when not in use. Commissioner Hoch made the second. It was voted upon and carried.

(33) 15-05-3 Harmony, Westfield

Brian Stumpf, Estridge Development Management, LLC, spoke as proponent. The request was to reduce the width of the paved drives serving the garages at the rear of the homes from 20 to 18 feet. This would allow the utilities to be run along the sides instead of under the drives, providing easier access and reduced installation costs. The spacing of the drives and the width between homes would not be changed. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(34) 15-05-16 The Mezz, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The variance had been called out by Commissioner Brown to determine why the door was not rated. The owner wished to install the glass door to improve visual access to the parking area, and was requesting the use of non-rated doors in a fire wall separating the parking garage and apartment building, both of which were protected by an NFPA 13 system. The door will be protected by a close spaced sprinkler over each side of the door, and the first level has a second exit door directly to the exterior. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(35) 15-05-17(b) UPS Freight Automotive Shop, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. The proponent explained that the mezzanine has a manager's office, and will be used by maintenance personnel, required to be able-bodied to perform as a mechanic, for a break room and supply storage. The general public does not access the area. Identical facilities are to be provided on the first floor for anyone who needs accessibility, thereby satisfying the ADAGG requirements. Following discussion, Commissioner Von Deylen moved no variance required, with the second by Commissioner Hoch. It was voted upon and carried.

(36) 15-05-25(a)(b) Children's Bureau Courage Center, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. In variance (a), the request was to not comply with horizontal grab bar length requirements of 54 inches in two restrooms. The back wall had been modified to install plumbing during remodeling, and this affected the length of the bars. Following discussion, Commissioner Richard moved to approve,

with the second by Commissioner Hoch. It was voted upon and carried. Variance (b) was to allow occupant to move through two sets of delayed egress doors instead of the compliant single set of delayed egress doors. In order to separate the male and female residents in the facility, this exiting arrangement was required since Federal law forbids the use of locks in this type of facility if they have not been charged with an offense. While under the Building Code, they would be allowed to install regular locked doors. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(37) 15-05-26 USF Robert Goldstine Performing Arts Center, Ft. Wayne

Melissa Tupper, RTM Consultants, spoke as proponent. There had been a previous variance granted for the change of use without a Chapter 34 review. The project involves converting portions of an existing auditorium and annex building to classrooms, music rooms, offices and other B occupancy uses. The request is to allow non-rated corridors for the areas changing use. The areas changing use will be sprinklered as they are completed, with the sprinkler protection extended into the auditorium as it is renovated. A fire alarm with voice/alarm communications system will be installed in the Annex building and basement of the auditorium. Jim Murua, Ft Wayne Fire Department, spoke to the Commission, noting they had no issue with the variance as long as the building is sprinklered and they have a fire watch during performances. Following discussion, Commissioner Richard moved to approve with the second by Commissioner Mitchell. It was voted upon and carried.

(38) 15-05-27 2250 Office Building, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. A building, constructed in the 1980's, had a sprinkler system installed which was not required at the time of construction. It had not been maintained properly, resulting in major leaks on each floor. The request was to remove the system from the basement entirely, remove heads from the first and second floors and replace the ceiling tiles. The remainder of the piping would be hidden within the concealed space. Standpipes would be bagged and marked as non-functioning. A quote had been received for \$150,000 based on a partial inspection, with the assumption by the proponent that the cost would increase if a full inspection were done. Following discussion, Commissioner Hoch moved to approve with the condition that a fire alarm system be installed in the basement. Commissioner Von Deylen made the second. It was voted upon and carried with one nay vote.

(39) 15-05-28(a)(b)(c) SIA Post Motion V Engine Plant, Lafayette

Christina Collester, RTM Consultants, spoke as proponent. Ron Richey, Lafayette Fire Department, also addressed the Commission. Before beginning her presentation, Ms. Collester noted she had submitted incorrect codes for variance (a) and (c). She changed

variance (a) from 2010 NFPA 72 10.6.7 to NFPA 72 10.5.6, and variance (c) from 2010 NFPA 72 18.5.1 to NFPA 72 18.5.4.1. In variance (a), the request was to allow the speakers and strobes to have a non-compliant secondary power supply. They will be using a UPS power back up system. Ron Richey, Lafayette Fire Department, noted they did not object to that. Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. In variance (b), the request was to allow the use of the current evacuation tone, which does not meet the audibility requirements, and not the three pulse temporal signal now required by code. The hardship provided by the proponent was that they would need to reprogram all of the systems and redo training materials. Mr. Richey had indicated his desire to speak about an audibility issue, and was told it was in variance (c). Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Richard. It was voted upon and carried. Following a question by staff, it was noted that the portion of the variance which dealt with audibility issues was, in fact, in variance (b) and had not been discussed. Commissioner Mitchell then made a motion to set aside approval of variance (b), with a second by Commissioner Hoch. It was voted upon and carried. Ron Richey, Lafayette Fire Department, described his inspection of the facility and stated the system was rated at 19 decibels when tested using the performance standards of NFPA 72 for setting levels. He requested that more horns be installed in the plant. The proponent described the issues involved in providing proper decibel levels. It was decided that, if the fire department would allow occupancy, they would withdraw 18.4.3 from consideration and would, after providing strobe and audible notification in the addition, file any necessary variance requests needed as quickly as possible. Following discussion, Commissioner Hoch moved to approve 2010 NFPA 72 18.4.2.1 only, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (c) was to allow non-compliant strobes mounted at a non-compliant height. The layout of the plant makes compliance with the performance standards of NFPA 72 difficult. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 12:04 p.m. It was called back to order at 1:01 p.m. Commissioner Richard was no longer in attendance.

(40) 15-05-29 Oasis Church Restrooms, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. The building had been constructed in the 1990's, and the owner had decided to add three ladies restrooms. These were not ADA compliant, but two compliant restrooms are located in an adjacent area. The request was to allow the restrooms to remain as constructed. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

(41) 15-05-40 WSIP Pallet Recycling, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. Pallets are torn apart for any needed repairs, and then put back together to be placed in the staging area in this part of the facility. The building is sprinklered to light hazard, and the proponent will install smoke detectors in the high bays, audio/visual warning systems, and will have the systems monitored. The request is to not comply with current sprinkler requirements for woodworking and pallet storage, and to omit roof vents or mechanical smoke exhaust system. The proponent noted that the height of stacked pallets would be to maintain a sprinkler clearance of twenty four inches. Following discussion, Commissioner Brown moved to approve with the condition that the proponent inspect and maintain the system per NFPA 25, add smoke detectors in the high bays, add audio/visual alarms, and stack no higher than 24 inches from the sprinkler heads. Commissioner Hoch made the second. It was voted upon and carried, with one nay vote.

(42) 15-05-31(a)(b) Urban Farmer Property, Westfield

Noah Herron, owner, spoke as proponent. Two existing pole barns were being renovated for use as offices and a retail area for the sale of their products and produce. The request was to change the occupancy and the use of the barns from agricultural to warehouse, offices and retail space. Kevin Troy, Fire and Building Code Enforcement, addressed the Commission, stating he had advised the proponent to get a variance to use Rule 13. Following discussion of roof load capacities, exiting, and possible occupant load, Commissioner Von Deylen moved to approve both, with the second by Commissioner Hoch. It was voted upon and carried.

(43) 15-05-30(a) Alpha Phi Sorority Renovation, West Lafayette

Ed Rensink, RTM Consulting, spoke as proponent. The request was to remove a dry standpipe which had been part of the original construction, which had been unused and not maintained since the installation of a sprinkler system. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(44) 15-05-32 The Emma House, Gary

No proponent was present to answer questions. Commissioner Hoch moved to table, with the second by Commissioner Furnish. It was voted upon and carried.

(45) 15-05-33 Magical Meadows Riding Area and Offices, Warsaw

Carl Adams spoke as proponent. The request was to allow a change of occupancy or use of the existing, 2-story building, without sprinklering. When filed, the second story was to have been used as 2 offices, employee break room and restrooms. Following a series of events, it was requested by the Board that the second floor be used as a residential apartment for an on-site caretaker. It is not sprinklered, and the not-for-profit organization would be unable to afford it at this time. Following discussion, Commissioner Von Deylen moved to approve with the condition for a single owner-occupied apartment, with the owner being a single individual who is designated and authorized by Magical Meadows. Commissioner Scheurich made the second. It was voted upon and carried.

(46) 15-05-34(a)(b)(c) Ironman Raceway, Crawfordsville

Scott Perez, Axtheon, spoke as proponent. A group constructed a motocross/race facility in a rural area. Variance (a) was to allow a 3-story race pagoda, located in the center of the racetrack, to have one exit on each story. Only authorized personnel are allowed to enter the pagoda. Following discussion, Commissioner Hoch moved to approve with the condition that there be only 8 occupants allowed on the roof deck. Commissioner Von Deylen made the second. It was voted upon and carried. Variance (b) and (c) were allow the pagoda and the press box to not comply with Comcheck requirements. These structures are only used seasonally, and to make them comply would be unnecessarily costly. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(47) 15-05-35 Release Your Inhibitions: Sky Lantern Release Event, Evansville

Stacey Godbold, organizer, spoke as proponent. The request was to be allowed to release untethered paper sky lanterns from a location in Angle Mounds State Park, as part of an awareness event for a non-profit organization. This location was selected because there is nothing overhead to be endangered by the lanterns, which will burn for approximately ten minutes before they self-extinguish. There would be fifty trained volunteers to light the lanterns, and minors would be required to be accompanied by an adult. There will be no alcohol allowed at the event. Following discussion, Commissioner Brown moved to approve with the conditions that the one-time event be limited to May 21, 2015 or the alternate date if rescheduled due to weather. Commissioner Von Deylen made the second. It was voted upon and carried, with one nay vote.

(48) 15-05-36(c) Birdsong Echoes School, Middlebury

Rob Yoder spoke as proponent. The request was to omit code-required sprinklers. The Amish school has provided a 2 bedroom apartment for use by the schoolteachers with

egress windows, as well as battery operated smoke detectors and fire alarms. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Hite. It was voted upon and carried, with one nay vote.

(49) 15-05-37(c) Golden Acres School, LaGrange

Rob Yoder spoke as proponent. The request was to omit code-required sprinklers. The Amish school has provided a 2 bedroom apartment for use by the schoolteachers with egress windows, as well as battery operated smoke detectors and fire alarms. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Hite. It was voted upon and carried, with one nay vote.

(50) 15-05-38 Ford Center, Evansville

Dave Rector, Building Commissioner, and Scott Shaneky, Ford Center Executive Director, spoke as proponents. Also presenting was Dan Grimm, Chief Fire Marshal, Evansville Fire Department. The Ford Center had received a variance for the ribbon board in a previous variance. The request was to be allowed to have the ribbon board dark during an event in which the operation would endanger performers with the use of a three person firewatch. The regulations of NFPA 72 are not practical in the bowl of the center since the floor-to-ceiling height is 65 feet. The ribbon board, a part of the notification system, is not activated 24/7 nor supervised if there are no public events in the building. The system is not a single computer, but is controlled by a bank of processors, and to run it 24/7 would be costly and decrease the life of the system drastically. The audio notification system is also independent and unsupervised. Following a lengthy discussion of expectations versus actual performance and use, Commissioner Von Deylen moved to approve with the condition that there is to be verification the ribbon board is on and functional by the firewatch personnel prior to events as the first item on the checklist. Commissioner Scheurich made the second. It was voted upon and carried.

(51) 15-05-39(a)(c)(d)(f) Pulliam Square Phase 2, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was a request to allow a rated door in a wall on a property line to allow the sharing of amenities between two sprinklered buildings, owned by the same corporation. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (c) was a request to allow the stair from the second floor to the first to be open instead of within a compliant 2-hour enclosure. It will be enclosed at the second level. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (d) was to allow the stair pressurization for the two enclosed stairs serving the office tower to provide 0.05 w.g. in lieu of the 0.10 w.g. required by code. This would

allow ease in operation for occupants. This complies with NFPA 92A. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried. Variance (f) was withdrawn.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 2:46 p.m. It was called back to order at 2:53 p.m.

(52) 15-05-41 GSA Ice, Indianapolis

The request was to allow the use of new MRL technology, not yet adopted by the State of Indiana. No proponent was present for questions. Commissioner Mitchell moved to table. Motion died for lack of second. Following a discussion concerning the authority of supervisory personnel to approve technology which has not yet been approved by the Commission, Commissioner Mitchell moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(53) 15-05-42 Indy Fringe Trailhead & Community Room, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. The request was to allow a door from the Community Room addition to not comply with the required 12 inches of clearance on both the latch and push side of the door. The door has been provided with panic hardware. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Furnish. It was voted upon and carried with the note that the Commission cannot grant variances to Federal accessibility regulations.

(54) 15-05-43 Meijer Main Store, Indianapolis

Christian Belz, SSOE Group, spoke as proponent. The request is to allow the design of the roof to be a 1% slope instead of the compliant 2% slope. The proponent noted the roof is designed to support ponding water for more than 48 hours, and that there are more than 60 such roofs on other Meijer stores. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(55) 15-05-44 Cityscape Flats, Ft. Wayne

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow an amenity room, 1020 square feet, to be located on the 4th floor of the podium-style apartment building. To comply with code, the room would need to be on the second floor. Jim Murau, Ft. Wayne Fire Department, addressed the Commission, noting he did not

object to the variance as long as the public was not using the facility. Following discussion, Commissioner Mitchell moved to approve with the condition that the general public is not using the space. Commissioner Hoch made the second. It was voted upon and carried.

- (56) 15-05-45 Villas at Geist Block 12, McCordsville
15-05-46 Villas at Geist Block 7, McCordsville

Tim Callas, J&T Consulting, spoke as proponent. The request was to apply the current definition of townhouse to the structures in order to eliminate the fire alarm systems which were installed in lieu of an NFPA 13D system under variance 13-06-42. A central control panel was installed in one unit to cover the four townhouses in the blocks, but it was changed so that each townhouse now needed a control panel, and the owners did not want to pay for them. Don Graber, Fishers Fire Department, addressed the Commission, noting that the units, which met the requirements for a townhouse, do not oppose the variance. Commissioner Hoch then moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried, with one nay.

- (57) 15-05-47 IU-Ivy Tech Arts & Life Sciences Building, Gary

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the standpipe hose connections at the main floor landings instead of the intermediate stair landings per code. The Gary Fire Department had submitted a letter of support. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

- (58) 15-05-48 Marion County Fairgrounds Cattle Barn, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. Also addressing the Commission was Ron Phillips, Marion County Fair Board Chairman. A platform had been added to the south barn area, changing the use of the building. The request was to not comply with current code requirements triggered by the platform addition. Following discussion which centered on the interpretation of “assembly”, Commissioner Hoch moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

- (59) 15-05-49(a)(b)(c)(d) Chef JJ’s Downtown, Indianapolis

Ralph Gerdes. Ralph Gerdes Consultants, spoke as proponent. Jason Birk, architect, was also present. The City of Indianapolis noted additional vents were located within the ten foot area from the property line. Variance (a) was to allow the restaurant to have 2 grease duct exhaust, rooftop units, dishwasher exhaust and toilet exhaust within 10 feet of the

property line or adjacent building. Variance (b) was a request to allow open flame cooking devices to be used indoors, within 10 feet of combustible surfaces. The City of Indianapolis would not approve open-flame cooking devices unless they were listed or labeled. Charcoal grills are not listed, and, per the proponent, a more appropriate code section would be 2014 IMC Sec. 906. Following discussion of grill location and hoods being provided, Commissioner Hoch moved to approve with the condition the units are stabilized. Commissioner Brown made the second. It was voted upon and carried. Variance (c) was to omit the grease interceptor cleanouts and solid separators for the pre-rinse sinks and food prep sink. The proponent felt that the heat of the water would keep the grease flowing, making the interceptor unnecessary. Following discussion, Commissioner Hoch moved to deny, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (d) was to allow a decreased basement ceiling height due to mechanical ductwork which cannot be tucked into joist space. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

(60) 15-05-50 Kokomo Central Middle School Renovation, Kokomo

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow non-compliant egress during construction, which will be completed by July 2017. One stair will not be available, and one corridor will be reduced to four feet wide in one section during renovation. Two means of egress will be maintained. Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(61) 15-05-51 Home Décor Access Center, Valparaiso

Ed Rensink, RTM Consultants, spoke as proponent. A Chapter 34 review had been done in 2004 and was passed. They are unable to pass a Chapter 34 review with a sprinkler system because they do not have standpipes. The request was to permit a score of zero for the standpipe parameter in the review. Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

(62) 15-05-52 Wilson Real Estate II, LLC Leased as Goodwill, Greencastle

No proponent was available for questions. Commissioner Brown then moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

- (63) 15-05-53 California Pellet Mill, Crawfordsville

Tim Callas, J&T Consulting, spoke as proponent. The request was to allow a 15 foot side yard from the storage building which lacks the 60 feet required for an S-2 partially sprinklered building. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

- (64) 15-05-54 Tom Wood Audi, Carmel

No proponent was available for questions. Commissioner Hoch moved to table, with the second by Commissioner Hite. It was voted upon and carried.

- (65) 15-05-55 Aster Place Assisted Living, Lafayette

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to omit low frequency sounders as part of the fire alarm system in the sleeping areas of the nursing home portion of the facility, as required by NFPA 72. The assisted living portion of the facility would have sounders. Staff is trained to wake residents in the nursing home portion. She noted the local fire official was not opposed to the variance. Following discussion, Commissioner Hoch made the motion to approve, with the second by Commissioner Jordan. It was voted upon and carried.

- (66) 15-05-59(b) IMS Project 100, Speedway

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to omit hoistway venting in 7 new elevators being installed to provide accessibility, as required by code. Following discussion, Commissioner Hoch moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

- (67) 15-05-60 Additions to Whitehawk CC Clubhouse, Crown Point

Jim Keilman, R. Keilman Associates, spoke as proponent. The request was to allow the building to be over area without the addition of a fire suppression system. The facility has a monitored fire alarm system, and the dining room has a 1-hour separation, with the exception of the door into the corridor, from the rest of the building. Exits exceed code requirements and are properly separated. Travel distance is less than required. The owners have offered to create a fourth egress from the dining room directly to the exterior by closing the mechanical room with rated doors to create the egress. Following discussion, Commissioner Hoch moved to approve with the condition that a rated door between the dining room and hallway be installed in the rated wall, and a fourth exit was to be provided. Commissioner Furnish made the second. It was voted upon and carried with two nays.

(68) 15-05-61 Sprinkler System, Westfield

No proponent was available for questions. Commissioner Hoch moved to table, with the second by Commissioner Brown. It was voted upon and carried.

(69) 15-05-63(a) Market Square North, Indianapolis

Ralph Gerdes. Ralph Gerdes Consultants, spoke as proponent. The request was to allow both stairs, which serve the tower, to discharge through the first level. One exits through the lobby and one through the parking garage. This is not compliant with current code. A two-hour wall will separate the two exit paths. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(70) 15-05-64 Providence Reformed Baptist Church Shell Space, Fishers

Melissa Tupper, RTM Consultants, spoke as proponent. Also presenting was Pastor Bob Bowles. The request was to allow an equipment platform of combustible construction in a noncombustible building. The church, a tenant of a strip mall, was separated by two-hour fire barriers from neighboring units. Portions of the flooring would be removed to reduce the size of the mezzanine to provide a walkway to the water heater and air conditioner. Monitored smoke detection will be provided. Don Graber, Fisher Fire Department, also addressed the Commission, requesting horns, strobes, and a pull station. Following discussion, Commissioner Brown moved to approve with the condition that a fully compliant NFPA 72 system for the tenant space be installed. The second was made by Commissioner Hoch, voted upon, and carried.

(71) 15-05-67 Christian Heritage Church, Wabash

No proponent was available for questions. Commissioner Brown moved to table, with the second by Commissioner Hoch. It was voted upon and carried.

(72) 15-05-68 St. Joseph Brewery, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The proponent requested nineteen calendar days from the date of occupancy in which to complete this portion of the detection system, located in the main hall area. Commissioner Mitchell moved to approve 19 days, with the second by Commissioner Brown. It was voted upon and carried.

(73) 15-05-69 Beacon Project Cardiology and Nursing, Vincennes

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow the use of a vertical access ladder and roof hatch in lieu of stairs for elevator mechanical penthouse roof access. Stairs are provided from the top floor of the building to the first level of the penthouse where the elevator equipment is located. A new stair to examine the top of the shaft on the second level of the roof would not be required, due to the fact that no elevator equipment or machine room on the 2nd level of the roof is in need of examination. They were confused when the violation was written, having assumed that if there is no equipment to examine on the second level of the roof, then no variance is required. Following discussion, Commissioner Mitchell moved no variance required, with the second by Commissioner Hoch. It was voted upon and carried.

5. Discussion and possible Commission action

Alternative Two, LLC
Administrative Cause No. DHS-1503-FPBSC-003
Non-final Order of Dismissal

Route 2 Brews
Administrative Cause No. DHS-1502-FPBSC-002
Non-final Order of Dismissal

Commissioner Mitchell moved to affirm the Non-final Orders of Dismissal, with the second by Commissioner Furnish. It was voted upon and carried.

6. Discussion and Commission actions on Petition for Review (Timely filed unless otherwise noted)

The Rathskeller Restaurant
Order – City of Indianapolis

Agricultural Building Permit denial
Ft. Wayne, Indiana

Commissioner Mitchell moved to approve the requests for appeal, with the second by Commissioner Hoch. It was voted upon and carried.

Andrews Gardens Apartments
Order – City of Indianapolis
Not timely filed

Commissioner Mitchell moved to deny the request for appeal, with the second by Commissioner Brown. It was voted upon and carried.

7. Reconsideration of Non-final Order

8560 Broadway
Administrative Cause No. 14-15
Non-Final Order of Dismissal

It was determined that, since a copy of the original filings had not been provided, it was in the best interest of the parties involved to table until the June meeting so that the materials could be distributed. Commissioner Hoch moved to table, with the second by Commissioner Mitchell. It was voted upon and carried.

8. Clarification of variance 15-04-32 Indiana Downs, Shelbyville

There had been confusion as to the intent of the condition since it had used the words “no public” and “employees only” to define who was to be allowed in the barn. Indiana Downs was concerned about this language since jockeys, etc. are not employees but are independent contractors, and could, by interpretation, be barred from entry. Following a brief discussion, Commissioner Hoch moved to correct the language of the letter to read “employees, contractors, and other personnel authorized by Indiana Downs, no public,” and the petition for review is now moot. Commissioner Jordan made the second. It was voted upon and carried.

9. Request from Elevator/Amusement Ride Safety Section for review of Kentucky Elevator Mechanic’s Licensing Program for reciprocity

Following a brief discussion of the request by Tom Hendricks, Director, Elevator and Amusement Ride Safety Section, to approve the Kentucky Elevator Mechanic License for the purpose of reciprocity, Commissioner Brown moved to approve, with the second by Commissioner Hoch. It was voted upon and carried.

10. Comments – Chairman Hawkins

The Chairman noted a discussion about a non-rule policy for the 2009 Energy Code as being a compliance alternative. He asked if there were any objections to a notice being posted on-line that it is being considered, with public comment accepted in June or July. A question was raised if they should be considering the 2010 or 2012. The issue of the Type II hood was also brought forward for consideration for a non-rule policy, with a positive response from Commissioner Brown.

Commissioner Brown asked what the plans were for looking at the Residential Building Code. He noted the currently enforced code is outdated. Chairman Hawkins explained that we are under a code-writing moratorium and would need to request permission from OMB to consider a waiver, and the fiscal impact restrictions will also play a part. He noted that if that was what the Commission wished to do, he would lead that discussion in the future.

10. Comments – Pamela Walters

She announced that the Boiler Board Emergency Rules would be up for consideration for approval next month. She noted the Emergency Outdoor Event Equipment Rules was due to expire, and needed to be made permanent.

11. Chairman Hawkins then adjourned the meeting at 4:44 p.m.

APPROVED _____
John Hawkins, Chairman